

REMARKS**Claim Amendments**

As suggested by the Examiner in the Examiner Interview of June 18, 2008, Applicant amends the pending claim set to limit to compound 1 (represented by structural formula II) shown and to limit to chronic rejection to expedite prosecution. Specifically, Applicant cancels Claims 1-24 and 26-28, and amends Claim 25 to limit the subject to be "a human" and to correct two clerical errors, a period after the structural formula and a period after "(II)". Support for this amendment is found, for example, on page 11, line 10 of the application as originally filed.

Withdrawal of Claim Rejections

Applicant acknowledges the withdrawal of the rejection of Claims 1-28 under 35 USC § 102(a) as being anticipated by Sneddon *et al.*, WO 01/87849. Applicant notes that the Examiner appears to mistakenly refer in her statement on page 3 to "Sedona *et al.*" instead of "Sneddon *et al.*" Further, the Examiner provides as reason for the withdrawal that "the claims no longer anticipate the reference." We assume that the Examiner meant to state that she no longer considers the claims to be anticipated by the reference.

Applicant further acknowledges the withdrawal of the rejection of Claims 1-26 under the judicially created doctrine of double patenting over Claims 1-20 of Application No. 10/719,701.

Maintained Claim Rejection – 35 U.S.C. §103(a)

The Examiner maintained a rejection of Claims 1-28 under 35 U.S.C. §103(a) as being unpatentable over Sneddon *et al.* (WO 01/87849) taken with Sviland *et al.* (J. Clin. Pathology 1999, 52:910-913) in view of Jamieson *et al.* (Transplant Int. 1991, 4:67-71). In particular, the Examiner states that "[t]he rejection is maintained as there is no showing that is commensurate in scope with the claims."


Applicant is cancelling Claims 1-24 and 26-28. Further, Applicant is amending claim 25 to be directed to a human subject. Applicant respectfully submits that the instant amendment renders the rejection under 35 U.S.C. §103(a) moot.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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